

# **Town Board Minutes**

## **Meeting No. 7**

### ***Regular Meeting***

**March 6, 2000**

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A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 6th day of March, 2000 at 8:00 P.M. and there were

**PRESENT:** MARK MONTOUR, COUNCIL MEMBER  
GEORGETTE PELLETTERIE, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
RICHARD ZARBO, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
JEFFREY SIMME, BUILDING INSPECTOR  
CHRISTINE FUSCO, ASSESSOR  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

### **PERSONS ADDRESSING TOWN BOARD**

**Beutler, Daniel**, 26 Tyler Street, spoke to the Town Board on the following matters:

- Complimented the Town Board for their selection for Emergency Management Coordinator
- Questioned when the Town plans to have its final Comprehensive Master Plan public hearing.

**Juszczak, Joseph**, 600 Pleasant View Drive, spoke to the Town Board on the following matters:

- Questioned when the New York State Comptroller's Audit Report would be released.
- Wants to know how many vehicles are there in the Department of the Dog Control Officer.

**DeGraff, Bob**, 5274 William Street, spoke to the Town Board on the following matter:

- Commented on the inadequacies of the current traffic signal at Bowen Road and William Street.

**Schneggenburger, Roy**, 87 Stony Road, spoke to the Town Board on the following matters:

- Commented on the condition of his yard, accompanied by photographs.
- Comments re: Police contract & police Chief's benefits.
- Comments re: his attendance at budget sessions with department heads.

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**RESOLVED**, that the minutes from the Regular Meeting of the Town Board  
held on February 28, 2000 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 6, 2000

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS, MARKAR PRODUCTS, INC.,** 68 Ward Road, Lancaster, New York, has submitted a Site Plan prepared by MWT Architects, and dated February 15, 2000 for the construction of a 3,400 sq. ft. addition to an existing office located at its premises at 68 Ward Road, in the Town of Lancaster, and

**WHEREAS,** the Planning Board has reviewed the plan and at its meeting March 1, 2000 has recommended approval of this project, and

**WHEREAS,** this project has been reviewed for SEQR purposes and it has been determined to be a "Type II Action" and as such no further SEQR review is necessary;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the Site Plan., submitted by Markar Products, Inc., and prepared by MWT Architects and dated February 15, 2000 for the construction of a 3,400 s.f. addition to an existing office located at its premises at 68 Ward Road in the Town of Lancaster.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETIERE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 6, 2000

File: rasite.300

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS, TONY SCIRRI, d/b/a G & S Management, 8145 Clarence**  
Center Road, East Amherst, New York, the lessee of certain property located at 6497 Transit  
Road, Bowmansville, in the Town of Lancaster, New York has submitted an application for a  
Special Use Permit for automobile sales in accordance with provisions of Chapter 50-Zoning,  
Section 20 (B) (1) (j) of the Code of the Town of Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED,** that pursuant to §50-20 (B) (1) (j), of the Code of the Town of  
Lancaster, a Public Hearing on the proposed Special Use Permit for automobile sales on  
premises locally known as 6497 Transit, Road, Bowmansville in the Town of Lancaster, New  
York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day  
of March, 2000 at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such  
hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and  
be posted on the Town Bulletin Board, and that a copy of such Notice of Hearing be referred to  
the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal  
Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 6, 2000

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER  
SPECIAL USE PERMIT - G & S MANAGEMENT  
AUTOMOBILE SALES**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in §50-20 (B)(1) (j) Auto Sales of Chapter 50-Zoning , of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 6th day of March, 2000, the Town Board will hold a Public Hearing on the 20th day of March, 2000, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Tony Scirri, d/b/a G & S Management for a Special Use Permit, for automobile sales on premises locally known as 6497 Transit Road, Bowmansville, in the Town of Lancaster, County of Erie and State of New York .

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

BY: Johanna M. Coleman  
Town Clerk

March 6, 2000

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by  
the Director of Administration and Finance, to wit:

Claim No. 1043 to Claim No. 1185 Inclusive

Total amount hereby authorized to be paid: \$64,594.80

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 6, 2000

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER PELLETTERIE, TO WIT:

**RESOLVED** that the following Building Permit Applications be and are hereby  
approved and the issuance of these Building Permits be and are hereby authorized:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are  
waived for this permit.

(CSW) = Conditional sidewalk waiver.

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	Structure
6576		Capuson, Maura	1 Old Schoolhouse Rd	Er. PoolPmt
6577		RJF Development JV	30 Schiffler Ct	Er. Sin. Dwlg
6578		Carstens, Douglas	12 Riemers Ave	Er. Shed
6579		Carstens, Douglas	12 Riemers Ave	Res. Addition
6580		Capretto Homes	29 Katelyn Ln	Er. Sin. Dwlg
6581		Walnut Creek JT Venture	250 Enchanted Forest N	Er. Sin. Dwlg
6582		Wal Cem Corp	2 Benzel Ct	Er. Sign Wall
6583		Town of Lancaster IDA	4155 Walden Ave	Install Tank
6584		NVR Inc	53 Michael Anthony Ln	Er. Fence
6585		Maier, Jason	28 Michael Anthony Ln	Er. Shed
6587		Maier, Jason	28 Michael Anthony Ln	Er. Deck

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for  
sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement  
for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for  
conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance  
required for sidewalks, however, the waiver is granted upon the expressed condition that the  
Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the  
expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 6, 2000

File:Rbldg2

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has reviewed the resumes of several individuals for appointment as the Emergency Management Coordinator, and

**WHEREAS**, the Town Board deems it in the public interest to fill this position so that the Emergency Management Committee has a coordinator to replace the current coordinator who has advised the Town he can no longer carry on in this position.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Town Board of the Town of Lancaster hereby appoints Robert Mac Peek to the position of Emergency Management Coordinator to serve as an outside contractor with no benefits with the contract sum to be paid in the amount of \$5100 per year, payable in monthly installments.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 6, 2000

file: disaster relief coordinator

## COMMUNICATIONS & REPORTS:

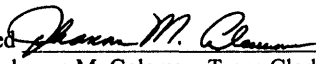
157. NYS Thruway Authority to Town Board -  
Transmittal of notice of Public Scoping Meeting re: Williamsville Toll Barrier.  
DISPOSITION = Town Engineer
158. General Crew Chief to Council Member Montour -  
Reply to request for a report relative to the cost savings to the Town of Lancaster by re-roofing two buildings in-house rather than having an outside contractor provide the work. DISPOSITION = Received and Filed
159. General Crew Chief to Supervisor -  
Request ordinance re: establishment of a policy to not feed the waterfowl at Westwood Park and Walden Pond Park. DISPOSITION = Town Attorney
160. Clerk Typist, Town Clerk's Office to Town Board -  
Request unpaid leave of absence for a vacation the week of August 7, 2000 through August 11, 2000. DISPOSITION = Resolution
161. Fox Valley Beverage Corp, Fox Valley Golf Club to Town Clerk -  
Notification of intention to renew summer liquor licenses. DISPOSITION = Received and Filed
162. Director, Buffalo & Erie County Public Library to Supervisor -  
Expression of appreciation for attendance at meeting on strategic planning and requests views and support re: library service to the community. DISPOSITION = Received and Filed
163. New York State Thruway Authority to Supervisor -  
Transmittal of Draft Scoping Document Re: Williamsville Toll Barrier Improvement Project. DISPOSITION = Town Engineer
164. Erdman Anthony Consulting Engineers to Supervisor -  
Proposal for Spring aerial photography & digital orthophotos for the Town of Lancaster. DISPOSITION = Geographic Information Systems Analyst
165. James Pavel, Chairman for "Books For Kids" to Supervisor -  
Seeks donations of new and used books or contributions to support purchase of books. DISPOSITION = Received and Filed
166. Peter Hunt, *Get Real* to Supervisor -  
Encourages Town to continue assessment of public services re: consolidation efforts. DISPOSITION = Received and Filed
167. Grand Island Town Clerk to Supervisor -  
Transmittal of resolution endorsing and adopting the Erie County Association of Governments Resolution re: special franchise assessments. DISPOSITION = Received and Filed
168. Fisher Associates P.E., PTOE to Transit Road Advisory Committee -  
Transmittal of Transit Road Access Management Study Plans updated from the December 8, 1999 meeting. DISPOSITION = Town Engineer
169. NYS Dept. of Motor Vehicles to Executives and Managers of all local governments -  
Conveyance of new legislation information re: establishment of handicapped parking education programs. DISPOSITION = Town Attorney
170. NYS Governor to Supervisor -  
Request involvement in the Census 2000. DISPOSITION = Building Inspector
171. Planning & Economic Development to Supervisor -  
Transmittal of copies of Erie County Local Law No. 1 of 1999 known as "Right To Farm Law". DISPOSITION = Received and Filed

172. Erie County Executive to Supervisor -  
Conveyance of pleasure at efforts re: sharing or merging of local services.  
DISPOSITION = Received and Filed, Police
173. Town Clerk to Town Board -  
Transmittal of a copy of the first settlement payment to Erie County re: 2000  
County/Town Tax Warrant. DISPOSITION = Received and Filed
174. Executive Director of Youth Bureau to Supervisor, Town Board, Town Clerk -  
Transmittal of 1999 Annual Report. DISPOSITION = Received and Filed
175. Planning Board Chairman to Planning Board, Town Board & Others -  
Transmittal of minutes from meeting held March 1, 2000. DISPOSITION = Received  
and Filed

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY  
THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9 P.M.**

Signed

  
Johanna M. Coleman, Town Clerk